SINGLE BENCH (2)

CF1002

IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR

WRIT PETITION (S)NO.7461 /2006

PETITIONER

Akhilesh Kumar Dubey s/o of Shri Harihar Prasad, aged about 40 years, R/o Village Churikhurd Tahsil Kathghora, Korba (C.G.)

P.F. No. 7561/6
Presented by Amit Sharma
dated 20/12/06

VERSUS

RESPONDENTS

1. State of C.G.- Through- The Secretary Department of Tribal Welfare, Mantralaya D.K.S. Bhawan Raipur (C.G.)
2. Commissioner, Tribal Welfare Department, Ravi Shankar University Campus, Raipur (C.G.)
3. Asst Commissioner, Tribal Welfare Department Collectorate Campus, Korba (C.G)
4. Principal Primary School Churikhurd, Post Curikala Tahsil kathghora , Korba (C.G.)

OATH COMMISSIONER
APARNA MALVIYA
CG-2073/06
18/12/06
Bilaspur Chhattisgarh

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(3) (5)

WRIT PETITION UNDER ARTICLE 226 OF THE

CONSTITUTION OF INDIA

XI-HC-78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक W.P.(S) 7461/06 **सन् 200**

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	8.1.2007 Mr. Ajay Shrivastava, Shri A.V. Shreedhar and Shri H.S. Ahluwalia, Advocates for the petitioners. Mrs. Anju Ahuja, Deputy Government Advocate for the State/respondents. With the consent of learned counsel for the parties, the matter is heard finally and disposed of. Order dictated in open Court in W.P. (s) No. 7426 of 2006, passed separately. A copy of this order be placed on record in other connected writ petitions. Sd/- Satish K. Agnihotri Judge	

P.T.O.

(27)

HIGH COURT OF CHHATTISGARH AT BILASPUR

SINGLE BENCH : HON'BLE MR. SATISH K. AGNIHOTRI, J.

WRIT PETITION (S.) NO. 7426 OF 2006

Petitioner : Dinbandhu Bharti

versus

Respondents : The State of Chhattisgarh and another

WRIT PETITION (S.) NO. 7427 OF 2006

Petitioner : Ramnarayan Pradhan

versus

Respondents : State of Chhattisgarh and others

WRIT PETITION (S.) NO. 7428 OF 2006

Petitioner : Smt. Manju Khujur

versus

Respondents : State of Chhattisgarh and others

WRIT PETITION (S.) NO. 7429 OF 2006

Petitioner : Krishna Kumar Chandra

versus

Respondents : State of Chhattisgarh and others

WRIT PETITION (S.) NO.7430 OF 2006

Petitioner : Shivnand Rathore

versus

Respondents : State of Chhattisgarh and others

WRIT PETITION (S.) NO.7431 OF 2006

Petitioner : Ram Chandra Namdeo

versus

Respondents : State of Chhattisgarh and others

(54)

WRIT PETITION (S.) NO.7432 OF 2006

Petitioner : Smt. Sharada Sahu

versus

Respondents : State of Chhattisgarh and others

WRIT PETITION (S.) NO.7433 OF 2006

Petitioner : Dharamlal Rathore

versus

Respondents : State of Chhattisgarh and others

WRIT PETITION (S.) NO.7434 OF 2006

Petitioner : Smt. Mary Grace Minj

versus

Respondents : State of Chhattisgarh and others

WRIT PETITION (S.) NO.7435 OF 2006

Petitioner : Smt. Purnima Pandey

versus

Respondents : State of Chhattisgarh and others

WRIT PETITION (S.) NO.7436 OF 2006

Petitioner : Lakhanlal Jaiswal

versus

Respondents : State of Chhattisgarh and others

WRIT PETITION (S.) NO.7437 OF 2006

Petitioner : Harnarayan Patel

versus

Respondents : State of Chhattisgarh and others

WRIT PETITION (S.) NO.7438 OF 2006

Petitioner : Manoj Kumar Pandey

versus

Respondents : State of Chhattisgarh and others

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WRIT PETITION (S.) NO.7439 OF 2006

Petitioner : Indra Kumar Tiwari

versus

Respondents : State of Chhattisgarh and others

WRIT PETITION (S.) NO.7440 OF 2006

Petitioner : Keshri Kishore Dubey

versus

Respondents : State of Chhattisgarh and others

WRIT PETITION (S.) NO.7441 OF 2006

Petitioner : Laxman Prasad Rathore

versus

Respondents : State of Chhattisgarh and others

WRIT PETITION (S.) NO.7442 OF 2006

Petitioner : Smt. Geeta Sharma

versus

Respondents : State of Chhattisgarh and others

WRIT PETITION (S.) NO.7443 OF 2006

Petitioner : Chandra Kumar Sharma

versus

Respondents : State of Chhattisgarh and others

WRIT PETITION (S.) NO.7444 OF 2006

Petitioner : Sanjeev Kumar Sharma

versus

Respondents : State of Chhattisgarh and others

WRIT PETITION (S.) NO.7445 OF 2006

Petitioner : Phiratram Nishad

versus

Respondents : State of Chhattisgarh and others

WRIT PETITION (S.) NO.7446 OF 2006

Petitioner : Jagannath Himdhar

versus

Respondents : State of Chhattisgarh and others

WRIT PETITION (S.) NO.7447 OF 2006

Petitioner : Suresh Kumar Pathak

versus

Respondents : State of Chhattisgarh and others

WRIT PETITION (S.) NO.7448 OF 2006

Petitioner : Chandrashekhar Sharma

versus

Respondents : State of Chhattisgarh and others

WRIT PETITION (S.) NO.7449 OF 2006

Petitioner : Mahendra Kumar Mishra

versus

Respondents : State of Chhattisgarh and others

WRIT PETITION (S.) NO.7450 OF 2006

Petitioner : Smt. Rama Karmkar (Maiden name-Ku. Rama Mandal)

versus

Respondents : State of Chhattisgarh and others

WRIT PETITION (S.) NO.7451 OF 2006

Petitioner : S.K. Rathore

versus

Respondents : State of Chhattisgarh and others

WRIT PETITION (S.) NO.7452 OF 2006

Petitioner : Uttam Kumar Tiwari

versus

Respondents : State of Chhattisgarh and others

WRIT PETITION (S.) NO.7453 OF 2006

Petitioner : Jhanak Ram Patel

versus

Respondents : State of Chhattisgarh and others

WRIT PETITION (S.) NO.7454 OF 2006

Petitioner : Vijay Kumar Dwivedi

versus

Respondents : State of Chhattisgarh and others

WRIT PETITION (S.) NO.7455 OF 2006

Petitioner : Mahesh Prasad Sahu

versus

Respondents : State of Chhattisgarh and others

WRIT PETITION (S.) NO.7456 OF 2006

Petitioner : Panchram Sahu

versus

Respondents : State of Chhattisgarh and others

WRIT PETITION (S.) NO.7457 OF 2006

Petitioner : Smt. Usha Chatur

versus

Respondents : State of Chhattisgarh and others

WRIT PETITION (S.) NO.7458 OF 2006

Petitioner : Purushattam Kumar Kaushik

versus

Respondents : State of Chhattisgarh and others

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WRIT PETITION (S.) NO.7459 OF 2006

Petitioner : P.N. Sharma

versus

Respondents : State of Chhattisgarh and others

WRIT PETITION (S.) NO.7460 OF 2006

Petitioner : Sitaram Kavar

versus

Respondents : State of Chhattisgarh and others

WRIT PETITION (S.) NO.7461 OF 2006

Petitioner : Akhilesh Kumar Dubey

versus

Respondents : State of Chhattisgarh and others

WRIT PETITION (S.) NO.7462 OF 2006

Petitioner : Balram Prasad Nayak

versus

Respondents : State of Chhattisgarh and others

WRIT PETITION (S.) NO.7463 OF 2006

Petitioner : Umesh Prasad Sahu

versus

Respondents : State of Chhattisgarh and others

WRIT PETITION (S.) NO.7464 OF 2006

Petitioner : Chandra Shekhar Sahu

versus

Respondents : State of Chhattisgarh and others

WRIT PETITION (S.) NO.7465 OF 2006

Petitioner : Smt. Rekha Bhatt

versus

Respondents : State of Chhattisgarh and others

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WRIT PETITION (S.) NO.7466 OF 2006

Petitioner : Puran Chand Patel

versus

Respondents : State of Chhattisgarh and others

WRIT PETITION (S.) NO.7467 OF 2006

Petitioner : Smt. Anita Ohri

versus

Respondents : State of Chhattisgarh and others

WRIT PETITION (S.) NO.7468 OF 2006

Petitioner : Ram Hari Sharaff

versus

Respondents : State of Chhattisgarh and others

And

WRIT PETITION (S.) NO.7471 OF 2006

Petitioner : Kanhaiya Lal Yadav

versus

Respondents : State of Chhattisgarh and others

Mr. Ajay Shrivastava, Shri A.V. Shreedhar and Shri H.S. Ahluwalia, Advocates for the petitioners.
Mrs. Anju Ahuja, Deputy Government Advocate for the State/respondents.

ORDER

(Passed on 8th Day of January, 2007)

1. Learned counsel appearing for the petitioners as well as for the State/respondents jointly submit that the facts and question of law involved in the present batch of writ

petitions are squarely covered by the decision of this Court in the case of ***Yashwant Kumar Bharadwaj*** vs. ***Municipal Corporation, Durg and another***[1].

2. The petitioners in W.P. (s) No. 7440 of 2006, 7456 of 2006 and 7465 of 2006 have acquired M.Ed certificates after obtaining B.Ed. certificates.

3. In subsequent cases, i.e., Writ Petition (S.) No.4130 of 2005 (***Gopesh Kumar Verma*** vs. ***The State Govt. of Chhattisgarh and another***) and other connected matters, decided by this Court on 15-12-2006, pursuant to the memo dated 28-1-1995, issued by the Secretary, Board of Secondary Education, Bhopal and the prospectus of Diploma in Education Examination, it was clarified that the nomenclature of the Basic Training Institute, i.e., B.T.I. has been changed and renamed as Diploma in Education, i.e., D.Ed. Accordingly, the D.Ed. Certificate holders are also covered by the decision in Writ Petition (S.) No.4130 of 2005 (*Gopesh Kumar Verma* vs. *The State Govt. of Chhattisgarh and another*) (Supra).

4. For the aforementioned reasons, the writ petitions are disposed of in terms of the decision of this Court in the matter of *Yashwant Kumar Bharadwaj* (Supra), subject to verification of the fact as to whether the petitioners have acquired B.Ed./M.Ed./B.T.I./D.Ed. Certificates at their own

expenses as per the circulars dated 24-12-1998 and 1-3-1999 and further whether they have been paid two advance increments or not. No order as to costs.

5. A copy of this order be placed on the record of the connected writ petitions.

Sd/-
Satish K. Agnihotri
Judge

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Bablu